

Message Text

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ACTION EB-07

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TAGS: GATT ETRD

SUBJECT: GATT WP ON EC ACCESSION

REF: GENEVA 6273

1. GATT SECRETARIAT PROPOSES WIND UP WORKING PARTY ON EC
ACCESSION AT JULY 18 GATT COUNCIL. FOLLOWING IS TEXT OF
DRAFT REPORT OF WP CHAIRMAN:

BEGIN QUOTE: "MEMBERS OF THE COUNCIL WILL RECALL THAT A
WORKING PARTY WAS ESTABLISHED, IN MARCH 1972, WITH THE TASK
OF EXAMINING THE LEGAL INSTRUMENTS LEADING TO THE ACCESSION
OF DENMARK, IRELAND AND THE UNITED KINGDOM TO THE EUROPEAN
COMMUNITIES. THE WORKING PARTY HELD A TOTAL OF NINE MEETINGS
IN THE PERIOD BETWEEN MARCH 1972 AND FEBURARY 1973. THE
MAIN PROBLEMS DISCUSSED AT THESE MEETINGS WERE THE FOLLOWING:

(A) METHODOLOGY OF THE EXAMINATION UNDER ARTICLE XXIV:5(A);

(B) TREATMENT OF PREFERENTIAL DUTIES, NOTABLY THE SO-
CALLED COMMONWEALTH PREFERENCES; AND

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(C) PROBLEMS ARISING OUT OF THE ACCESSIONS TO THE

TRADE OF DEVELOPING COUNTRIES.

"I SHOULD LIKE TO POINT OUT THAT DETAILED NOTES OF THE MEETINGS HELD WERE ISSUED IN A SERIES OF 'NOTES BY THE CHAIRMAN' WHICH CONTAIN THE VARIOUS VIEWS THAT WERE EXPRESSED AT THESE MEETINGS.

"MEMBERS OF THE COUNCIL WILL ALSO REMEMBER THAT AT THE TWENTY-EIGHTH SESSION OF THE CONTRACTING PARTIES IN NOVEMBER 1972, IT WAS AGREED TO COMMENCE THE RE-NEGOTIATIONS UNDER ARTICLE XXIV:6 IN JANUARY 1973. I UNDERSTAND WITH CONSIDERABLE SATISFACTION THAT SINCE THAT TIME, NEGOTIATIONS BETWEEN THE EC AND ALL COUNTRIES EXCEPT ONE WHO HAVE CONDUCTED NEGOTIATIONS UNDER ARTICLE XXIV WITH THE EC HAVE SUCCESSFULLY BEEN CONCLUDED.

"IN VIEW OF THESE FAVOURABLE DEVELOPMENTS AND AFTER CONSULTATION WITH DELEGATIONS, I COME TO THE CONCLUSION THAT THERE IS NO NEED FOR THE WORKING PARTY TO HOLD ANOTHER MEETING OR TO FORMALLY ADOPT A REPORT. INSTEAD, AND AGAIN IN CONSULTATION WITH MEMBER OF THE WORKING PARTY, I WOULD PROPOSE THAT MY PRESENT STATEMENT, TOGETHER WITH THE DETAILED 'NOTES BY THE CHAIRMAN' TO WHICH I REFERRED EARLIER IN MY STATEMENT BE CONSIDERED THE FINAL RECORD ON THE ACTIVITIES OF THE WORKING PARTY."

END QUOTE

2. WE RECOMMEND APPROVAL THIS TEXT SO LONG AS MODIFICATION OF USE OF WORD "FAVOURABLE" IN LAST PARAGRAPH IS MADE TO SHOW THAT THIS REFERS ONLY TO FACT THAT MOST 24:6 SETTLEMENTS HAVE BEEN REACHED AND NOT TO 24:5(A) EVENTS.

3. WP CHAIRMAN KITAHARA PLANS ALSO TO PRESENT STATEMENT GIVING HIS PERSONAL COMMENTS AS CHAIRMAN WHICH MAY BE PUT INTO COUNCIL RECORD BUT WOULD NOT FORM PART OF THE OFFICIAL WP REPORT. PERSONAL STATEMENT EXPECTED TO A) EXPRESS REGRET WP COULDN'T AGREE ON MEANS ASSESS INCIDENCE OF DUTIES, B) SAY THIS SITUATION COULD REDUCE EFFECTIVENESS OF FUTURE ART. XXIV:5 EXAMINATIONS AND WEAKEN GATT ITSELF, C) ATTRIBUTE THIS PARTIALLY TO VAGUENESS IN PROVISIONS OF ART. XXIV, SINCE GATT DOUNDING FATHERS OBVIOUSLY DID NOT FORESEE RAPID DEVELOPMENT OF REGIONAL TRADING LIMITED OFFICIAL USE

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GROUPS, D) SAY ART. XXIV AND WHOLE OF GATT SHOULD BE REVIEWED AND POSSIBLY REVISED, E) SUGGEST REVIEW OF ART. XXIV BE UNDERTAKEN AFTER MTN SINCE A CERTAIN REVIEW OF GATT RULES ALREADY WILL TAKE PLACE UNDER MTN, AND F) SUGGEST THAT IN INTERIM ALL MEMBERS OF REGIONAL GROUPS SHOULD BE ASKED TO MINIMIZE DISCRIMINATION AGAINST OUTSIDERS AND ALL CPS SHOULD ATTACH GREATER IMPORTANCE TO FREE TRADE POLICIES AS MEANS PREVENT REGIONAL TRADING BLOCS

FROM BECOME INWARD-LOOKING.

4. MISSION AGREES WITH GENERAL DISSATISFACTION EXPRESSED
ON WP'S INABILITY EVEN AGREE ON METHODOLOGY AND ON NEED
TO REVIEW ART. XXIV. HOWEVER, IN VIEW U.S. DESIRE INCLUDE
GATT REFORM IN MTN, SUGGEST WE ASK KITAHARA TO LEAVE OUT
HIS SUGGESTION THAT GATT REVIEW BE DELAYED UNTIL AFTER
MTN. OTHERWISE, ANY STATEMENT TO THIS EFFECT IN COUNCIL
PRESUMABLY WOULD REQUIRE U.S. RESPONSE. DALE

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